



Express Mail Label No. **EV 336 040 061 US**

Attorney Docket No. 37167-8039.US01 (13724-845)

09/04/03

RCE/37398

#14/RCE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Balbierz et al.
Serial No.: 09/823,910
Filing Date: March 30, 2001
Examiner: Vrettakos, P.
Group Art Unit: 3739
Confirmation No. 7532
For: TISSUE BIOPSY AND TREATMENT APPARATUS

RECEIVED

SEP 09 2003

TECHNOLOGY CENTER R3700

Request for Continued Examination (RCE) Transmittal

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000,
provides for continued examination of an utility or plant application,
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

**Mail Stop RCE
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450**

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

Note: 37 C.F.R. §1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. §1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. §1.114**

- ☒ Enclosed
☒ Amendment
☒ Information Disclosure Statement, Form PTO-1449 and cited references.

2. **Miscellaneous**

- ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of _____ months.

(Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)

3. **Fees** *The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when RCE is filed.*

- ☒ A check in the amount of \$375.00 is enclosed to cover the following fee.
 - ☒ RCE fee required under 37 C.F.R. §1.17(e) (\$375.00)

- ☒ The Director is hereby authorized to charge any underpayment in fees (or credit any overpayments) to Deposit Account No. 50-2207.

Respectfully submitted,

Date: Sept. 3, 2003

Jacqueline F. Mahoney
Jacqueline F. Mahoney
Registration No. 48,390

Correspondence Address:

Customer No. 22918
(650) 838-4410